

Senate File 471

H-1272

1 Amend the Committee amendment, H-1251, to Senate File 471,  
2 as amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 4 by inserting:

4 <DIVISION I

5 PREREQUISITES FOR ABORTION

6 Section 1. NEW SECTION. 146A.01 Definitions.

7 As used in this chapter, unless the context otherwise  
8 requires:

9 1. "*Abortifacient*" means a method of inhibiting the  
10 development of a human pregnancy at any stage following  
11 fertilization.

12 2. "*Abortion*" means the termination of a human pregnancy  
13 with the intent other than to produce a live birth or to remove  
14 a dead fetus.

15 3. "*Contraception*" means a method of inhibiting the  
16 development of a human pregnancy at any stage prior  
17 to fertilization. "*Contraception*" does not include an  
18 abortifacient.

19 4. "*Fertilization*" means the fusion of the human  
20 spermatozoon with a human ovum.

21 5. "*Major bodily function*" includes but is not limited  
22 to functions of the immune system, normal cell growth, and  
23 digestive, bowel, bladder, neurological, brain, respiratory,  
24 circulatory, endocrine, and reproductive functions.

25 6. "*Medical emergency*" means a situation in which an  
26 abortion is performed to preserve the life of the pregnant  
27 woman whose life is endangered by a physical disorder, physical  
28 illness, or physical injury, including a life-endangering  
29 physical condition caused by or arising from the pregnancy, or  
30 when continuation of the pregnancy will create a serious risk  
31 of substantial and irreversible impairment of a major bodily  
32 function of the pregnant woman.

33 7. "*Perform*", "*performed*", or "*performing*", relative to an  
34 abortion, means the use of any means, including medical or  
35 surgical, to terminate the pregnancy of a woman known to be

1 pregnant with the intent other than to produce a live birth or  
2 to remove a dead fetus.

3 8. "*Unborn child*" means an individual organism of the  
4 species homo sapiens from fertilization to live birth.

5 Sec. 2. Section 146A.1, Code 2017, is amended by striking  
6 the section and inserting in lieu thereof the following:

7 **146A.1 Prerequisites for abortion — ultrasound — licensee**  
8 **discipline — interpretation.**

9 1. A physician performing an abortion shall obtain written  
10 certification from the pregnant woman of all of the following  
11 at least seventy-two hours prior to performing an abortion:

12 a. That the woman has undergone an ultrasound imaging of the  
13 unborn child that displays the approximate age of the fetus.

14 b. That the woman was given the opportunity to see the  
15 unborn child by viewing the ultrasound image of the fetus.

16 c. That the woman was given the option of hearing a  
17 description of the unborn child based on the ultrasound image  
18 and hearing the heartbeat of the fetus.

19 d. (1) That the woman has been provided information  
20 regarding all of the following, based upon the materials  
21 developed by the department of public health pursuant to  
22 subparagraph (2):

23 (a) The options relative to a pregnancy, including  
24 continuing the pregnancy to term and retaining parental rights  
25 following the child's birth, continuing the pregnancy to  
26 term and placing the child for adoption, and terminating the  
27 pregnancy.

28 (b) The indicators, contra-indicators, and risk factors  
29 including any physical, psychological, or situational factors  
30 related to the abortion in light of the woman's medical history  
31 and medical condition.

32 (2) The department of public health shall make available to  
33 physicians, upon request, all of the following information:

34 (a) Geographically indexed materials designed to inform the  
35 woman about public and private agencies and services available

1 to assist a woman through pregnancy, at the time of childbirth,  
2 and while the child is dependent. The materials shall include  
3 a comprehensive list of the agencies available, categorized by  
4 the type of services offered, and a description of the manner  
5 by which the agency may be contacted.

6 (b) Materials that encourage consideration of placement for  
7 adoption. The materials shall inform the woman of the benefits  
8 of adoption, including the requirements of confidentiality in  
9 the adoption process, the importance of adoption to individuals  
10 and society, and the state's interest in promoting adoption by  
11 preferring adoption over abortion.

12 (c) Materials that contain objective information describing  
13 the methods of abortion procedures commonly used, the medical  
14 risks commonly associated with each such procedure, and the  
15 possible detrimental physical and psychological effects of  
16 abortion.

17 2. Compliance with the prerequisites of this section shall  
18 not apply to any of the following:

19 a. An abortion performed to save the life of a pregnant  
20 woman.

21 b. An abortion performed in a medical emergency.

22 c. The performance of a medical procedure by a physician  
23 that in the physician's reasonable medical judgment is designed  
24 to or intended to prevent the death or to preserve the life of  
25 the pregnant woman.

26 3. A physician who violates this section is subject to  
27 licensee discipline pursuant to section 148.6.

28 4. This section shall not be construed to impose civil  
29 or criminal liability on a woman upon whom an abortion is  
30 performed, or to prohibit the sale, use, prescription, or  
31 administration of a measure, drug, or chemical designed for the  
32 purposes of contraception.

33 5. The board of medicine shall adopt rules pursuant to  
34 chapter 17A to administer this section.

35 Sec. 3. CODE EDITOR DIRECTIVE.

1 1. The Code editor is directed to make the following  
2 transfers:

3 a. Section 146A.01 to section 146A.1.

4 b. Section 146A.1 to section 146A.2.

5 2. The Code editor shall correct internal references in the  
6 Code and in any enacted legislation as necessary due to the  
7 enactment and implementation of this section.

8 DIVISION II

9 PROHIBITIONS ON ABORTION — TWENTY WEEKS POSTFERTILIZATION>

10 2. Page 7, by striking lines 3 through 12 and inserting:

11 <DIVISION \_\_\_\_

12 SEVERABILITY — EFFECTIVE DATE

13 Sec. \_\_\_\_\_. SEVERABILITY CLAUSE. If any provision of this Act  
14 or its application to a person or circumstance is held invalid,  
15 the invalidity does not affect other provisions of applications  
16 of this Act which can be given effect without the invalid  
17 provision or application, and to this end the provisions of  
18 this Act are severable.

19 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This Act, being deemed  
20 of immediate importance, takes effect upon enactment.>

21 3. Title page, by striking lines 1 and 2 and inserting  
22 <An Act relating to limitations on and prerequisites for an  
23 abortion, providing for licensee discipline, providing civil  
24 penalties, and including effective date provisions.>

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SALMON of Black Hawk

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FISHER of Tama

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WATTS of Dallas

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HAGER of Allamakee

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HOLT of Crawford

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HEARTSILL of Marion

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CARLIN of Woodbury

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SHEETS of Appanoose

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WHEELER of Sioux

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GASSMAN of Winnebago